

The Times Dispatch

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WEDNESDAY, FEBRUARY 4, 1914.

NOT TO BE ELECTED.

The bill introduced yesterday by Delegate Gordon for the election of the judges of the Supreme Court of Appeals by direct vote of the people is in line with the proposal now pending for the popular election of members of the State Corporation Commission.

With all respect for the distinguished authors of these measures, The Times-Dispatch cannot view either of them with favor. They would to our mind inaugurate a system noxious in itself and disastrous in that it would tend to lower our judicial officers to the plane of partisan politics.

It is argued, of course, that these two bills are in accord with the principle of the referendum, the initiative and the recall and are a part of that movement which would substitute direct for representative government. All who advocate these measures will, we presume, be urged to subscribe to this proposal.

We believe in direct popular government. It is right. It is necessary. But it should stop short of immediate control of the judiciary. As we see it, the initiative and the referendum are one thing; the recall, with which they are generally mentioned, is altogether different in so far as it relates to judges. The initiative and the referendum are intended to make the will of the people effective, either immediately, through the introduction of laws, or ultimately, through the revocation of those laws to the people. Both have to do with the legislative function of government—a function which the people have reserved to themselves or have delegated only for brief periods to their representatives.

If the referendum be needed in Virginia, we have no objection to it. We shall welcome it and every other means of getting a deliberate expression of the popular will. If, again, the initiative is necessary, we shall urge its adoption.

But when the judicial function of government be considered, we are frank to express the belief that this should never be exercised directly by the people, or even through their representatives, except under conditions which shall hamper, as little as possible, the men designated as judges. Legislate the people can; judge by equity and statute they cannot. We go further. The average man of intelligence, though qualified to vote and to pass on matters under the referendum, is not thereby equipped to serve in a judicial capacity where human life, the rights of property and the equality of individuals must be determined carefully, deliberately and without prejudice or passion.

Applying this general principle to the particular bills under discussion, we are of opinion that the men who would appeal to the average voters are not always the men who would make the best judges or members of the Corporation Commission. We are sure that the men who would make the most spectacular campaign for those offices are not those who would deserve them.

Fancy the judges of our State Supreme Court forced to appeal to the people for election? What would happen? At the very outset, lawyers would adorn the bench would decline to make an active canvass; judges who have served for years and are eminently qualified could not afford the expense of a campaign. The campaign would thus begin with the elimination of some of those whom the State most desires to have on the bench. Furthermore, the men who would bear the expenses of a canvass and all the hardship incident thereto would, in the main, be those who have some interest to serve—the very men who would do the most damage on the bench. Beyond all this there would, we fear, be a deplorable change in the efficiency of our judges. Even were good men chosen under conditions which make such a selection almost impossible, they would be faced with the prospect of a new election and would be burdened with political debts accumulated during their canvass. Inevitably they would lose that independence without which even justice cannot be had.

The issue is more than one of the form of government. It is one of government itself.

TWO NEEDED CHANGES.

Whatever may be done with the various primary bills now before the General Assembly, it seems certain that two much-needed changes in the present law will be made. There is a strong sentiment in House and Senate in favor of providing for making appeals from primary elections direct to the courts instead of to party committees, and for placing more stringent regulations upon participation in the primaries.

Many amendments will be offered on the floor of the House and Senate to any bill the joint subcommittee may report. Unless the two provisions noted are incorporated in the bill by the committee, amendments placing them in the bill should be adopted on the floor. Whatever change is made and whatever change is not made, these two, demanded by public sentiment and by equity, are absolutely necessary.

"If Secretary Daniels had any doubt that Philadelphia insists on the dry-dock it must have been removed at the Real Estate Board dinner," says the Philadelphia Public Ledger. If the Public Ledger has any doubt that what Philadelphia insists upon and what Philadelphia gets are two entirely different things, it will be removed soon.

We don't care for the flag, and we are against patriotism. We have learned that the American flag is not our flag; there is only one flag in the world for us, and that is the red flag—William D. Haywood.

Yet the majority of those who applauded the utterance of this sentiment are living under the American flag by choice.

Minnesota is preparing for the advent of equal suffrage by teaching schoolboys how to sew.

Huerta and Murphy may yet shake hands in Paris.

NEW INAUGURATION DATE.

The recent inauguration of Governor Stuart was not necessary to convince that the date on which our Governors take office should be changed, but it has served to bring the matter to the front and to make it a subject of discussion. Now that the evils of the present constitutional requirement in this regard are emphasized by conditions is a good time for the General Assembly to consider an amendment eliminating them.

Governor Mann, who has just gone out of office, had little time in which to advise with the members of the General Assembly. He sent several messages, and that was the extent of his participation in the government of the State in so far as it is affected by the present Legislature. Governor Stuart comes into office with the General Assembly in session and the program laid out. His time for the remainder of the session will be occupied with considering appointments and in familiarizing himself with his new duties. Consultation with the members of the General Assembly and an active participation in the other affairs of the State is rendered difficult.

The Governor should be inaugurated into office not later than January 1. A constitutional amendment providing that the vote shall be canvassed by the State board of canvassers and the date of the inauguration moved up to January 1 or earlier would, we believe, receive the endorsement of the voters of the State.

New York grafter says he feels lonely without a bank roll, Nover mind, Cassidy, you'll have enough company after a while.

Wonder, if Huerta will follow his example of New Year's Day, and send President Wilson a Valentine.

STUDENTS ACQUITTED.

The report of the subcommittee of the District of Columbia Committee of the House of Representatives, which made a thorough investigation of the disorders of the night of the football game between the University of Virginia and Georgetown, makes the following startling disclosures:

There were evidences of boisterousness and intoxication in the vicinity of the hotel at which the largest crowds congregated.

Several instances of violations of the law were proven by the testimony. It took no committee sitting through long hours to determine this. Any citizen of Washington knew it already, and it is not a matter of surprise to any one outside the city. It has happened every year, and will happen the next year.

One feature of the report, however, will be news to many and pleasing to all. It has been believed always by some of those not in touch with conditions that the students of the two universities make the annual football game the occasion for a carousal; that the students who go to Washington to witness the contest are lured by the opportunity to "have a good time" as much as by the desire to see the football game. The report of the subcommittee should correct this impression. That no student took a drink no one would assert. That some of them took too much would be denied by few. But that the students were the chief participants in the saturnalia, or even that they formed any considerable proportion of the mob about their headquarters, is disproven by the report of the subcommittee, which declares that "the evidence fails to show to our satisfaction that any of the patrons so intoxicated were students of either the University of Virginia or Georgetown University."

This gives the students an even better certificate of orderly conduct than some of their sympathizers had expected. That cases of drunkenness were noted is no surprise, and that some minors and a number of women were served with drink was known before the subcommittee began its long inquiry, but the acquittal of the students makes the hearing worth while and saves it from ridicule, despite the solemn manner in which the report relates the best known facts.

Confederate Cruiser Afloat.

The Confederate steamer Florida, which has been hung up for repairs at the bottom of the Chesapeake Bay, and is now being raised for the purpose of overhauling and destroying all of the Yankee ships it can run up with on the high seas.

Harbor.

Oh, welcome is the harbor! Peace is here and pleasure,
Rest is here and quiet from the mad-pursuing sea;
Hard was the voyaging and heavy is the treasure;
Here in calm idleness, our spirits shall be free.

Oh, restful is the harbor! The spray and salt wind's stinging
Here is changed to scented breezes blowing from the shore;
The harbor's calm and peaceful, the sweet birds' singing;
Faint as sea-shell murmur seems the far-off ocean roar.

Green and cool the hills here, sweet the smell of clover,
From the village steeples high the bells are calling clear,
Peace they sing and quiet to the weary.
Yea, quiet, peace and friendliness and not a thing to fear.

Here is neither care nor work, neither watch nor steering,
The land strong arms guard us, the furled sails are heedless of the slightest breeze' veering,
Here is neither danger nor the daring of the deep.

Sloughful is the harbor! Our souls are sick and sated,
Weary of its idleness and everlasting ease,
Ho, we are sailors! To a ship-at-sea we're mated,
We are brothers of the hurrying and white-manned seas.

We are done with anchored ease, sloth and languor,
Who would taste of happiness and life without alloy,
Must sail a ship cool-hearted, through the harbor's calm and peaceful,
The harbor is the place for ease—a storm at sea for joy.

King George, Va.

Queries and Answers.

Wise County.

Please tell me when Wise County was formed and from what territory and the present population.

Dr. BAXTER.

In 1855, from Lee, Russell and Scott Counties. The population by the last census was 34,192.

Birds.

Is it known how many sorts of birds there are in the world? I. R. R.

Not exactly. The books say about 5,000.

Woodrow Wilson.

Please state for me very briefly the main facts in the life of President Wilson.

He was born in Staunton, Va., December 28, 1856, graduated at Princeton in 1879, and at the University of Virginia in 1882; married Mrs. Woodrow Wilson in 1885; served in the Spanish-American war; was president of Princeton, Princeton and President of Princeton; Governor of New Jersey, President of the United States March 4, 1913. He is the author of many works, mainly historical and economic and member of many learned societies.

Chills, Etc.

Please tell me where malaria is prevalent in this country, and what you can do of the Dry Tortugas.

It would be endless to locate the thousands of places in which malaria prevails further than to make the statement that wherever water is permitted to produce the malaria-bearing mosquito the inhabitants of the district are subject to the disease. The Dry Tortugas are ten coral formations lying off the coast of Florida Keys. Fort Jefferson, on one of them, was a Confederate prison during the war.

Richmond Voters.

Can you inform me how many qualified voters there are in the city of Richmond? J. C. MOORE.

Roughly, 10,000. The poll books have not been made up, and the figures given are the estimate of the City Treasurer's office.

Danny Deever.

Can you give me the history of the song "Danny Deever" by Walter Dammrosch? JAMES S. SCOTT.

We regret that we are not able to locate any Dammrosch version of this Tipling poem.

Revenue Law.

Please tell me what is the maximum punishment for not obtaining a special stamp for retail liquor business? J. T. COLE.

If by "special stamp" you mean license to retail liquor, a fine of \$500, and imprisonment of two years.

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THE RAPPAHANNOCK RHAPSODIST

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Rest is here and quiet from the mad-pursuing sea;
Hard was the voyaging and heavy is the treasure;
Here in calm idleness, our spirits shall be free.

Oh, restful is the harbor! The spray and salt wind's stinging
Here is changed to scented breezes blowing from the shore;
The harbor's calm and peaceful, the sweet birds' singing;
Faint as sea-shell murmur seems the far-off ocean roar.

Green and cool the hills here, sweet the smell of clover,
From the village steeples high the bells are calling clear,
Peace they sing and quiet to the weary.
Yea, quiet, peace and friendliness and not a thing to fear.

Here is neither care nor work, neither watch nor steering,
The land strong arms guard us, the furled sails are heedless of the slightest breeze' veering,
Here is neither danger nor the daring of the deep.

Sloughful is the harbor! Our souls are sick and sated,
Weary of its idleness and everlasting ease,
Ho, we are sailors! To a ship-at-sea we're mated,
We are brothers of the hurrying and white-manned seas.

We are done with anchored ease, sloth and languor,
Who would taste of happiness and life without alloy,
Must sail a ship cool-hearted, through the harbor's calm and peaceful,
The harbor is the place for ease—a storm at sea for joy.

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Dr. A. H. Boyd, a distinguished Presbyterian minister, whose home was in Winchester, has been arrested by Yankee raiders and is being held as a hostage.

Acceptable Gift.

Mrs. General Robert E. Lee yesterday presented thirty-seven pairs of gloves, made with her own hands, to a detail of men from the Fifty-third Regiment, North Carolina troops, engaged in the defense of the plank road near Orange Court House.

Escaped From Danville.

News comes from Danville that a number of prisoners confined in a tobacco factory there that had been converted into a prison made their escape last Thursday night, and that they studied the methods of General Morgan and the way that brilliant leader escaped from the camp on the Ohio prison, and they acted accordingly. They dug a zig-zag trench eight feet deep, and carried out a plank to a point in the center of the yard. J. W. Pace, and there pulled out to the top of the earth. Through this aperture eight men made their escape. Sixty of these were captured before they could get away, but sixty of the gang were not.

General Bragg Retires.

General Braxton Bragg has bought a house, in Montgomery, Alabama, and it is understood he will make that his home.

Vote of Thanks.

In the Congress of the Confederate States yesterday morning a resolution was passed to express its thanks to the country to the Southern troops in the Army of the Tennessee, who were captured and held in captivity, but who of their own accord re-enlisted for the war.

Many Runaways.

There seems to be an epidemic of negro runaways. A scanning of the advertising column will show that Andrew Plazini offers a reward for the apprehension of his runaway negro man, Sam. Charles Phillips also offers a reward for the capture of his runaway negro, William. The reward offered by Phillips is \$500. The reward offered by Phillips is \$500. The reward offered by Phillips is \$500.

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